

REMARKS

The Examiner has required restriction between claims 27-30, directed to a semiconductor device having an insulating layer receded into a substrate, allegedly classified in Class 257, subclass 647 (Group I) and claims 1-26 and 31, directed to a method for fabricating an electronic device including an infrared sensor, allegedly classified in Class 438, subclass 81 (Group II). The Examiner contends that the inventions of the two groups are distinct because the process of making a semiconductor feature of the Group II invention could be applied using another device materially different than that of the Group I invention. For example, the Examiner notes that a thin film structure can be formed by many different methods including the claimed method of forming a second opening that reaches a provisional cavity through an etch stopper and expanding into a final cavity. The Examiner thus contends that different searches and examinations would be required for the claims in the two Groups.

PROVISIONAL ELECTION

While not necessarily agreeing with the Examiner's restriction requirement, Applicants provisionally elect, without traverse, the invention of Group II (claims 1-26 and 31) for initial examination in this application. Examination and an early Notice of Allowance of the claims are respectfully requested

Respectfully submitted,

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